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In re Application of  
UHRICH

PCT No.: PCT/US98/18816

Application No.: 09/508,217

Int. Filing Date: 10 September 1998

Priority Date: 10 September 1997

Atty. Docket No.: 1435.008US1

For: POLYANHYDRIDES WITH THERAPEUTIC-  
ALLY USEFUL DEGRADATION PRODUCTS

DECISION ON PETITION

UNDER 37 CFR 1.181

This is a decision on applicant's "Request For Reconstruction of Patent Application" filed on 26 September 2003 in the United States Patent and Trademark Office (USPTO). The Request is being treated as a petition under 37 CFR 1.181. No petition fee is due.

### **BACKGROUND**

On 10 September 1998, applicant filed international application PCT/US98/18816 which claimed priority to an earlier application filed 10 September 1997. The thirty-month period for paying the basic national fee in the United States expired at midnight on 10 March 2000.

On 08 March 2000, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1) and an Information Disclosure Statement.

On 26 September 2003, applicant filed the present request to reconstruct the national stage application. The request included a revocation and power of attorney with change in correspondence address.

### **DISCUSSION**

A review of the application file finds the originally filed papers contained therein. As such, applicant's request for reconstruction is dismissed as moot.

### **CONCLUSION**

For the reasons above, the petition under 37 CFR 1.181 is **DISMISSED AS MOOT**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision; specifically the mailing of a "Notification of Missing Requirements" (Form PCT/DO/EO/905) informing applicant that an executed oath or declaration of the inventor in compliance with 37 CFR 1.497(a)-(b) is required. In addition, applicant is required to provide payment of the surcharge for providing an oath or declaration of the inventor later than thirty months from the priority date.



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